



Practitioner's Docket No. 1026-017C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Julie R. Bartholomew

Group Art Unit: 3751

Serial No.: 10/716,317

Examiner: Douglas, Steven O.

Filed: 11/18/2003

For: APPARATUS AND METHOD FOR CUSTOM COSMETIC DISPENSING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER  
MAILING DATE OF FINAL ACTION, NOTICE OF ALLOWANCE  
OR ACTION THAT CLOSES PROSECUTION BUT BEFORE  
PAYMENT OF ISSUE FEE (37 C.F.R. § 1.97(d))**

The information disclosure statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

I, the person signing below, state that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge, after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(2).

Applicants submit this statement in accordance with their duty of disclosure under 37 CFR 1.56 and 1.97-1.98. The submission made herewith is in no way intended as an admission that the cited items constitute material prior art or otherwise would render the claims unpatentable in any way. The submission also is in no way intended to substitute for the Examiner's own independent investigation.

A listing of the references on forms PTO/SB/08A and PTO/SB/08B are submitted herewith. Copies of the U.S. references have not been provided because its filing date falls

---

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

[x] deposited with the United States Postal Service in an envelope with sufficient postage as "Express Mail Post Office to Addressee" Mail Label No. EV573180298US addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: 01/24/05

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

Roni L. Masquelier

Signature

Roni Masquelier

(type or print name of person certifying)

01/27/2005 MEBREM1 00000088 10716317  
01 FC:1806

after June 30, 2003. Applicants respectfully solicit the Examiner's consideration of the cited references and entry thereof into the record of this application.

Attached is a check in the amount of \$180.00 for the Fee due (1.17(p)). Charge any additional fees required by this paper or credit any overpayment to deposit account 50-1097.

Date:

Jan 24, 2005



James M. McPherson  
Registration No. 53,306  
Dobrusin & Thennisch PC  
29 W. Lawrence Street, Ste. 210  
Pontiac, MI 48342  
248-292-2920  
Customer No. 25215

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Institute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

**Complete if Known**

Application Number	10/716,317
Filing Date	11/18/2003
First Named Inventor	Julie Bartholomew
Art Unit	3751
Examiner Name	Douglas, Steven O.

Attorney Docket Number 026-017C2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,527,236	10/06/1967	Anthony et al.	
		US- 6,402,120	06/11/2002	Swaab	
		US- 6,557,369 B1	05/06/2003	Phelps et al.	
		US- 6,615,881	09/09/2003	Bartholomew et al.	
		US- 6,663,818	12/16/2003	Statham et al.	
		US- 6,779,686	08/2004	Bartholomew et al.	
		US- 6,782,307	08/24/2004	Wilmott et al.	
		US- 2002/0109270 A1	08/15/2002	Swaab	
		US- 2002/0131985 A1	09/19/2002	Shana'a et al.	
		US- 2002/0136700 A1	09/26/2002	Margosiak et al.	
		US- 2003/0014324 A1	01/16/2003	Donovan et al.	
		US- 2003/0151611	08/14/2003	Turpin et al.	
		US- 2004/0004309	01/08/2004	Sears	
		US- 2004/0122553	06/24/2004	Phan et al.	
		US- 2004/0243361	12/02/2004	Steuben et al.	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		WO 02/05200 A2	17/01/2002	Donovan et al.		

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Please type a plus sign (+) inside this box → +

PTO/SB/08B (10-96)  
Approved for use through 10/31/99. OMB 0651-0031

Approved for use through 10/31/99. OMB 88-130  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**S**ubstitute for form 1449B/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of 0

***Complete if Known***

Application Number	10/716,317
Filing Date	11/18/2003
First Named Inventor	Julie R. Bartholomew
Group Art Unit	3751
Examiner Name	Douglas, Steven O.
Attorney Docket Number	1026-017C2

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.  
**DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.